

Cemetery & Funeral Bureau
Advisory Committee Meeting Minutes

Tuesday, August 15, 2006

DCA-Hearing Room
1625 North Market Boulevard

Attendees: Chris Micheli, Betty Cooper-Youngren, Carol Coan, Clarence Youngren, Cheryl Moore, Barbara Jodry, Marjorie Bridges, Jerry Desmond Jr., Jim Draper, Rich Mielbrecht, J.R. Shuck, Jerri Lyons, Stan Sandelius, Sebastian Fichera, Thomas Swift, Steve Doukas, Bob Achermann, Sherry Grace, Patricia Dawkins, Norma Wilcox, Forest Harlan, Merrill Mefford, Steve Schacht, Lisa Messina, Felicia Winston, Andy Bryant, Merrill Mefford, Dr. Anthony Wallace, George Prather, Felicia Winston, Steve Schacht, Eva Shaw, Ph.D., Royce Ann Ruhkala Burks, Lisa Messina, Sherrie Moffet-Bell, Kim Duran, Cat Litral, Mary Hintemeyer, Lucy Vasquez, Lisa Whitney, Douglas Gibson, John Paul, Tanya Morning, Judy Zhang, Richard Fisher, Jeff Brown, Phil Harris

Sherrie Moffet-Bell, Chief of the Bureau: Opened the meeting welcoming everyone and explained the copies of the Regulations that were passed out. “The highlights are only suggestions and recommendations. We will meet again in three months to discuss the changes or proposals anyone has. There are lots of areas that conflict in the Regulations and it’s one of the biggest tasks the committee came up with to make us one solid group. This will not be done without feedback from industry or public comment. My door is always open to talk or discuss anything with anyone. Feel free to call me and make an appointment to come in and talk with me. I plan to have at least three more meetings with this same group before I open it up for changes or additions.”

“We will be making some policy decisions not affecting the laws but it affects how we do things. Such as the way we issue citations or how we do informal office conferences. There are a couple of bills that are currently out there that affect the Bureau. One of them is Senator Ducheny; she has a bill out there that the intent was to prevent a cemetery from being abandoned. The bill really does not address that issue at this point in time. I would like to discuss some language that we could come up with that would prevent a cemetery from being abandoned. SB 1490 is the bill that Ducheny has proposed.”

“Committee members will make comments about the changes, and then we will open the meeting up to questions for anyone who has signed up to speak.”

Merrill Mefford, committee member: Spoke about why the decision was made to change or strike some of the wording.

Steve Schacht, committee member: Also agreed that this was really more of a house cleaning issue.

Dr. Anthony Wallace, committee member: Agreed that there is a lot of clean up needed and we have only begun to touch the surface of this.

Royce Ann Ruhkala Burks, committee member: Agreed that this is something we really need to do.

Lisa Messina, committee member: Asked about continuing education stating, "It looks like it has been stricken." "That is correct because the way it is written the Bureau does not enforce continuing education.", replied Sherrie Moffet-Bell.

George Prather, committee member: Stated, "You could not look at the regulation without looking at the statute. We also looked at duplication of laws between the Cemetery and Funeral regulations. Continuing Education was stricken by the legislation years ago and it was never taken out of the regulations."

Eva Shaw, Ph.D., committee member: Agreed to taking out the duplication and redundancy.

Open to Public Comments:

Jerri Lyons: Founding Director of a non-profit organization, Final Passages. Jerri asked, "Who has knowledge of Electronic Death Registry System (EDRS)?" All members raised their hands in acknowledgement of the system. Ms. Lyons voiced her concern about individual families and their right to keep and file their own paperwork.

Jim Draper: Public member: Answered that he has been involved with EDRS and this is not intended to replace the paper copy.

Forest Harlan: Funeral Consumer Alliance: Agrees with the EDRS, but would still like to have the old paper trail available as well.

Norma Wilcox: Funeral Consumer Alliance: She is aware of changes of EDRS and is concerned that families will have their rights protected for home funerals if that is their want. "Perhaps the hospitals have a system for the families to use to fill out and have the doctor sign so that the family could remove the body to their home. I support the right to have a paper form available."

Marjorie Bridges: Funeral Consumer Alliance: Responsible for collecting Funeral Home General Price Lists (GPL). Would like to see the Funeral Directors put on their GPL, somewhere close to the cremation costs, what the actual cost of the cremation is. She would like to see the identification of the owner of that Funeral Home, as well as the name of the Funeral Home on the front of the GPL. Sherrie Moffet-Bell responded, "Part of the Ducheny Bill will require the owner of the Funeral Home be placed on our web site and we foresee that portion of the bill passing. As far as the name of the Funeral Home on the front of the GPL, we don't see that happening." Ms. Bridges continued on about a report that was completed by Joshua Slocum and asked if the state would look at adopting something to follow the Federal Trade Commission Rule (FTC). Then she talked about a review of a book that without the knowledge of his family they sold parts of this person's body and all that was buried was very little. Sherrie Moffet-Bell responded, "The Bureau does not condone body part selling and if we have knowledge of this we will take action on this immediately."

Betty Youngren: Funeral Consumer Alliance: Also sends out request for GPL to about 83 Funeral Homes. She knows a woman who purchased an insurance plan who can not get SSI because she has too much insurance coverage. She recommends that perhaps something be put

on the GPL stating that. George Prather responded, "That there is also something with SSI and MEDI-care; If there is too much that is not sheltered it can be a problem." He suggested that a person go to their case worker to look for guidance. He further suggested they look at the Welfare & Institution Act Section 11158 and 12152. Two codes that actually address the public assistance code in California.

Carol Coan: Funeral Consumer Alliance of Western Massachusetts: She's glad to hear what has been discussed. She stated, "Only one comment, I was hoping to hear is that more consumer oriented folks were on the Committee."

Thomas Swift: Congress of the seniors: Stated, "One issue is on pre-paid funerals that are sold by many funeral homes especially those owned by large corporations. We are especially concerned with complex details which the buyer is often not aware of what is included in the prepaid package and what is not. Another issue is timely and careful inspection by the Bureau. We are happy to know that additional inspectors have been added to your staff."

Sherrie Moffet-Bell: Added, "Our field is completely staffed and we are making sure that mandated inspections are done annually. So far we have been greeted with open doors, which in the past, was not always the case. We are working with the industry to conduct complementary inspections to answer any questions or concerns that they may have."

Jim Draper: Stated, "EDRS is a win win for everyone. It makes the information easier to input and ensures the data is correct when inputted and speeds up the process of getting the document signed by the physician or coroner. Everybody benefits from that. This happens to be the only system that is ongoing in the United States which allows the physician to electronically certify the document and eliminate the need for a wet signature. Currently on-line is 10 counties and there are 12 that will go on-line between now and March. To be an EDRS user a person must be trained by the Department of Health Services. California Master Trust can assist with information on Welfare & Institution Act Section 11158 and 12152, and what assets count and what assets don't count. There is a booklet given to each user. If there is a problem, you can contact the Registrar of Vital Statistics. Currently about 40% of the deaths in the State of California are being submitted electronically. Currently there is one location that will allow non-EDRS users to access the system and that is in San Diego at the local registrar office."

Meeting Adjourned.